

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF WARRENTON
HELD ON MARCH 8, 2005

The regular meeting of the Council of the Town of Warrenton was held on March 8, 2005 in the Town Council Chambers.

Councilmembers present: George B. Fitch, Mayor, presiding; Vice Mayor David A. Norden, Councilmen Birge S. Watkins, John V. Albertella, John E. Williams, Dennis M. Sutherland, Terrence L. Nyhous and John S. Lewis, Jr.

Also present: Kenneth L. McLawhon, Town Manager, Whitson Robinson, Town Attorney; and Evelyn J. Weimer, Town Recorder.

The Mayor called the meeting to order and invocation was given by Councilman John E. Williams.

CITIZENS TIME.

- “Distinguished Budget Preparation Award”

Mr. Richard Heartley, Director of Finance/Human Resources, presented Ms. Joan Jackson with the “Distinguished Budget Preparation Award” given by the Government Finance Officers Association.

PUBLIC HEARINGS.

Ordinance 2005-1 – An Ordinance Amending Chapter 10, entitled “Speed Limits on Certain Streets, etc.,” Section 10-5(a) and Section 10-5(b) of the Code of the Town of Warrenton.

The Mayor opened the public hearing at 7:02 p.m. and called upon Mr. Watkins, Chairman of the Transportation Safety Commission.

Mr. Watkins highlighted the proposed ordinance.

The Mayor called for citizens to speak for or against the ordinance. There being no citizens wishing to speak, the Mayor closed the public hearing at 7:05 p.m.

On a motion by Mr. Nyhous, seconded by Mr. Norden, Ordinance 2005-1 – An Ordinance Amending Chapter 10, entitled “Speed Limits on Certain Streets, etc.,” Section 10-5(a) and Section 10-5(b) of the Code of the Town of Warrenton was adopted on a vote of 7-0 (for: Norden, Watkins, Albertella, Williams, Sutherland, Nyhous, Lewis).

Sale of certain real property containing six (6) acres more or less located on Bear Wallow Road known as the “The Bear Wallow Spring Lot,” more specifically, Fauquier County Tax Map Parcel 6975-22-0963-000.

The Mayor opened the public hearing at 7:06 p.m. and called upon Mr. Whitson W. Robinson, Town Attorney. Mr. Robinson noted that the approximately six acres was located just off of Bear Wallow Drive beside the Warrenton Training Center. He indicated the property’s selling price to the Warrenton Training Center is \$230,000.

The Mayor called for citizens to speak for or against the request. There being no citizens wishing to speak, the Mayor closed the public hearing at 7:07 p.m.

On a motion by Mr. Nyhous, seconded by Mr. Williams, Council approved sale of the property to the Warrenton Training Center for \$230,000 on a vote of 7-0 (for: Norden, Watkins, Albertella, Williams, Sutherland, Nyhous, Lewis).

CONSENT AGENDA.

- a. Approval of the minutes of the Council regular meeting held on February 8, 2005 and adjourned meeting of February 15, 2005.
- b. Financial statement and staff reports and Board and Commission minutes.
 - (1) Financial statement for period ending February 28, 2005.
 - (2) February statement of accounts paid.
 - (3) Miscellaneous staff reports.
- c. Minutes of the December 15, 2004 and January 19, 2005 meetings of the Planning Commission and minutes of the January 5, 2005 meeting of the Architectural Review Board.
- d. Bond Release – Request for release of the Public Improvements Bond (No. 53SB103499233) held for development of the Carriage House Chase Subdivision , Phase II. The original bond has not been previously reduced and currently stands in the amount of \$402,667.50. The project is partially complete and is not eligible for full release. The maximum reduction allowable is 85% in accordance with the Subdivision Ordinance. A Maintenance Bond in the amount of \$60,400.13 (15%) is required to be retained by the Town for 12 months.
- e. Bond Reduction - Request for reduction of the Letter of Credit (No. 9530591902-00002) held for development of The Villas at The Ridges, Phase I. The original bond has not been previously reduced and exists in the amount of \$409,404.00. The project is progressing and has been requested to be reduced to \$102,351.00 (25% of the original amount).
- f. Bond Reduction - Request for reduction of the Public Improvements Bond (No. B-80-450503) for development of The Villas at The Ridges, Erosion and Sediment Control. The original bond has not been previously reduced and exists in the amount of \$158,298.00 (consolidated with revised plans, November 2003). The project is progressing and has been requested to be reduced to \$89,008.00 (56.2% of the original amount).
- g. Resolution to adopt hazardous mitigation plan.
- h. Authorization for Town Manager to execute documentation for the Homes for Warrenton Limited Partnership to make application for low income housing tax credits from the Virginia Housing Development Authority.

The Town Attorney noted that there were legal issues associated with the bond reductions items noted in the consent agenda for The Villas at the Ridges and suggested tabling those items.

On a motion by Mr. Lewis, seconded by Mr. Norden, items concerning The Villas at the Ridges, (items “e” and “f”) were removed from the Consent agenda on a 7-0 Council vote (for: Norden, Watkins, Albertella, Williams, Sutherland, Nyhous, Lewis).

Mr. Norden noted for the record concerning item “g,” “the hazardous mitigation plan” that out of the seven items they trail off in the verbage included as to their degree of importance and cost. He indicated that depending upon where the cost of some of the items, he may hang on dearly to one of the items in the resolution which indicates that the Town would “take such other official action as may be reasonably necessary” in the future.

On a motion by Mr. Lewis, seconded by Mr. Norden, items “e” and “f” were tabled until the next month on a vote of 7-0 (for: Norden, Watkins, Albertella, Williams, Sutherland, Nyhous, Lewis).

On a motion by Mr. Watkins, seconded by Mr. Lewis, the Consent Agenda was approved on a vote of 7-0 (for: Norden, Watkins, Albertella, Williams, Sutherland, Nyhous, Lewis).

NEW BUSINESS.

Consideration of appointment of Ms. Barrett Dowell to the Fauquier Community Action Board of Directors.

On a motion by Mr. Nyhous, seconded by Mr. Norden, Ms. Barrett Dowell was appointed to the Fauquier Community Action Board of Directors on a Council vote of 7-0 (for: Norden, Watkins, Albertella, Williams, Sutherland, Nyhous, Lewis).

UNFINISHED BUSINESS.

Proposed presentation on May 11 (Information attached) and possible presentation on April 27 (Information attached).

Mr. Nyhous noted that Council had discussed these items among themselves and asked Mr. Watkins if he had comments. Mr. Watkins commented concerning the April 27 presentation noting that the conference would be \$500 less than previously noted because Virginia Planning Association was contributing \$500 toward the presentation.

On a motion by Mr. Nyhous, seconded by Mr. Albertella, Council voted 7-0 (for: Norden, Watkins, Albertella, Williams, Sutherland, Nyhous, Lewis) to proceed with the presentation by Mr. Ed McMahon.

Concerning the April 27 presentation by Mr. Dan Burden, Mr. Nyhous noted his concern that the two seminars would be held closely together. He also noted that he felt the “walkable communities” seminar would be worthwhile for a later date.

Mr. Norden asked if the intention was when the thought process was started on the “walkable communities” presentation to give it as much publicity as the McMahon presentation and Mr. Watkins responded that the plan was to have Mr. Burden visit, have a tour of the Town, and meet in a worksession format. He noted that there was discussion of expanding it to a public forum similar to Mr. McMahon’s.

Mr. Sutherland noted that there was a need for walkable trails in Town but the two seminars were planned rather closely together. He felt that the presentation should be set up in a larger fashion so that many more could attend.

Mr. Lewis suggested when Mr. Burden visits the Town to give him some materials (maps, etc.) on the Town and ask him to prepare a proposal which is more site specific.

Mr. Williams indicated that there was an interest in the community to have paths to the college and other areas of town. Mr. Williams indicated he would share the names of those in his ward that are interested in these paths.

On a motion by Mr. Watkins, seconded by Mr. Williams, Council voted 7-0 to committing to invite Mr. Burden to give a presentation at a later date (for: Norden, Watkins, Albertella, Williams, Sutherland, Nyhous, Lewis).

REPORTS AND COMMUNICATIONS.

- a. Report from Town Attorney.

The Town Attorney noted that there was no report.

- b. Report from Finance Committee.

Mr. Watkins, Chairman, stated that a Finance/Recreation Committee meeting would be held on March 23.

- c. Report from the Police Committee.

Mr. Lewis noted that there was no report.

- d. Report from the Public Information Committee.

Mr. Albertella, Chairman, stated that the Committee met on February 16 and covered a number of topics, especially, recommendations for articles for the upcoming Town Crier. He noted that recommendations for website improvement were also made and will be refined at a subsequent meeting.

- e. Report from the Public Works Committee.

Mr. Lewis, Chairman, stated there was no report, but noted that Jim Weeks would be retiring as Superintendent of Public Works. He asked that Council recognize him at the April Council meeting.

- f. Report from the Utilities Committee.

Mr. Nyhous stated that a meeting had specifically not been scheduled for the last two months to give Mr. Tucker time to work with the contractor doing the rate study. When the contractor is prepared, a meeting will be set.

- g. Report from Airport Committee.

Mr. Lewis stated that there was no report.

- h. Report from Planning District 9 Representative.

Mr. Albertella stated that he attended the February 23 meeting of PD 9 and there was nothing of any consequence to the Town was on the agenda.

- i. Report from Transportation Safety Commission.

Mr. Watkins, Chairman, stated the next meeting would be held on March 10.

- j. Report from Economic Development Advisory Committee representative.

Mr. Williams stated that three Councilmen and Mr. Ernie Heuter, Chairman, of the Economic Development Advisory Committee met and discussed some issues in areas and are still proceeding to try to involve the County in the EDAC program.

- k. Report from Recreation Committee.

Mr. Sutherland stated that three Councilmembers visited the Ida Lee Recreation facility in Leesburg and it was a useful visit. He noted that there would be a Recreation Committee meeting held on March 23.

- l. Report from Joint Communications Board representative.

There was no report.

- m. Report from Liaison Committee representative.

There was no report. The Manager noted that he had met with the new County Administrator for the first time and noted that they would be meeting monthly. He indicated that the joint EDAC committee would be discussed as well as if the new Chairman of the Board of Supervisors would be willing to reconstitute the Liaison Committee.

- n. Report from the Parking Committee.

Mr. Lewis stated that if the Capital Improvements Program is approved a parking garage would be built in the Town over the next few years. The Mayor noted that the format would be a public-private partnership arrangement.

- o. Report from the Town Manager.

The Manager stated Council and the media had been given a memorandum indicating upcoming meeting, which also included meetings with the County.

He also indicated that the proper recognition would be given to Mr. Weeks at the April Council meeting.

COUNCILMEMBERS' TIME.

Mr. Williams commented that he felt that photographs should be taken during presentations to the public and staff.

There being no further business, the meeting adjourned at 7:30 p.m.

Evelyn J. Weimer, Town Recorder